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10/035,588	10/18/2001	Scott D. Sturgeon	10001084-1	2880

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EXAMINER

VO, ANH T N

ART UNIT PAPER NUMBER

2861

DATE MAILED: 04/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
10/035,588

Applicant(s)  
STURGEON ET AL.

Examiner  
Anh T. N. Vo

Art Unit  
2861



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Oath/Declaration***

The declaration filed 06 March 2002 is acceptable.

### ***Information Disclosure Statement***

The references cited on PTO 1449 have been considered.

### ***Specification***

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objection***

Claim 5 objected to because the recitation "second guide feature" on line 1 is confusing since "first guide feature" has not been recited. The same is true for claim 16.

Claim 6 objected to because the recitation "the guide features" on line 4 lacks antecedent basis.

Claim 12 objected to because the recitation "a guide slot" on line 2 should change to --at least one guide slot -- to avoid inconsistent language

Claim 15 objected to because the recitation "the receiving station" on line 2 and "the leading edge" on line 4 lacks antecedent basis. The phrase --of the replaceable ink container-- should be inserted after "edge" on line 4.

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The rest of claims, the applicant should check antecedent basic problems. Appropriate correction is required.

## ***CLAIM REJECTIONS***

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-3, 5-7, 15, and 17 are rejected under 35 USC 102 (e) as being anticipated by Morita et al. (US Pat. 6,390,601).

Note: The method steps are inherently taught in the apparatus device/limitations in the rejections as follow:

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Morita et al. disclose in Figures 7, 9B, 9D, 9F, 12 and 18 an ink jet recording apparatus comprising:

- a guide feature (33a, 33b) outwardly extending therefrom, the guide feature disposed toward a trailing end relative to an insertion direction (Figure 9B);
- wherein the guide feature (33a, 33b) is configured to cooperate with the at least one guide slot (38a, 38b) to guide the ink container (30) in a pivot motion to ensure the ink container engages the inherent compliant seal forming a seal therewith (Figure 9D);
- wherein the guide feature (33a, 33b) is a pair of guide features that each extends outwardly from an ink container housing (Figures 9B, 9D, 9F);
- wherein the ink container housing (40c) defines a fluid outlet (45c) in a bottom portion thereof relative to a gravitational frame of reference (Figure 12);
- a second guide feature (32) outwardly extending therefrom, the second guide feature disposed toward a leading end relative to an insertion direction into the printing system (Figure 9B);
- wherein the ink container (30) has leading end and a trailing end are disposed on a central axis along a major axis of the ink container and the pair of sidewalls are disposed on a central axis along a minor axis of the ink container and wherein the guide features (33a, 33b) are a pair of guide features are disposed toward the leading end of the central axis and extending outwardly along the minor axis (Figures 9B, 9D, 9F);
- wherein the receiving station (36) includes a guide slot (38a, 38b) and wherein the guide feature is configured to engage the guide slot to guide the ink container in a pivot motion so that the ink container engages an inherent compliant seal on the inkjet printing system (Figures 9B, 9D, 9F);
- a fluid outlet (45c, 45m, 45y or 45) configured for connection to the fluid inlet associated with the receiving station (46 or 86) (Figures 17-18); and
- a guide slot engagement feature (34a, 34b) disposed toward a trailing end of the replaceable ink container (30) relative to an insertion direction, wherein with the engagement feature (33a, 33b)

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disposed on the leading edge engaged with corresponding engagement features (88a, 88b) associated with the receiving station (86) and with the guide slot engagement feature (34a, 34b) is so disposed and arranged on the replaceable ink container to interact with at least one of the pair of guide slots (89a, 89b) to guide the replaceable ink container (40) into the receiving station (86) to align the fluid outlet (45) with the fluid inlet and to engage the compliant seal to establish an inherent seal between the replaceable ink container and the compliant seal (Figures 17-18).

Claims 8-11 and 13-14 are rejected under 35 USC 102 (b) as being anticipated by <sup>Sasaki</sup>~~Ujita~~ (US Pat. <sup>5,815,183</sup>~~5,138,344~~).  
6/03

Sasaki discloses in Figures 7-9 an ink jet apparatus comprising:

- an ink container housing (60) defining a leading end and a trailing end relative to an insertion direction and a pair of sidewalls each extending between the leading and trailing ends (Figure 8);
- a first pair of guide features (62), each of the first pair extending outwardly from each of the pair of sidewalls (Figure 8);
- a second pair of guide features (63A), each of the second pair extending outwardly from each of the pair of sidewalls (Figures 8);
- wherein the leading end and a trailing end are disposed on a central axis along a major axis of the ink container and the pair of sidewalls are disposed on a central axis along a minor axis of the ink container and wherein the first pair of guide features (62) are disposed toward the leading end of the central axis along the minor axis and the second pair of guide features are disposed toward the trailing end of the central axis along the minor axis (Figure 8);
- wherein the ink container housing (60) defines a fluid outlet (57) in a bottom portion thereof relative to a gravitational frame of reference (Figure 9);

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- an engagement feature (62) disposed on the leading edge, the engagement feature configured to engage corresponding engagement features (52) associated with the receiving station (50) (Figure 8);
- a guide rail (57) and wherein the first pair of guide features (62) is configured to engage the guide rail (57) to guide the ink container (60) into the inkjet printing system (Figures 7-9); and
- wherein the inkjet printing system includes an engagement feature (53) configured to engage corresponding engagement features (63A) associated with the ink container (60) (Figure 8).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior arts are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16 and 18 are rejected under 35 USC 103 (a) as being unpatentable over Morita et al. (US Pat. 6,390,601) in view of Nozawa et al. (US Pat. 6,102,533).

Note: The method steps are inherently taught in the apparatus device/limitations in the rejections as follow:

Morita et al. disclose the basic features of the claimed invention was stated above but do not disclose the receiving station having a guide rail and wherein the replaceable ink container further includes a second pair of guide features that are configured to engage the guide rail to guide the ink container into the receiving station.

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Nozawa et al. disclose in Figures 1-4 an ink container using in an ink jet recording apparatus comprising the receiving station (300) having a guide rail (310a) and wherein the replaceable ink container (400) further includes a second pair of guide features (404) that are configured to engage the guide rail (310) to guide the ink container (400) into the receiving station (300) (column 12, lines 42-59).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to incorporate the teaching of Nozawa et al. in the Morita ink jet recording apparatus for the purpose of guiding an insertion direction of the ink container into a holder.

#### ***Allowable Subject Matter***

Claim 12 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. This claim would be allowable because none of the prior art references of record discloses the receiving station comprising a guide slot and wherein the second pair of guide features is configured to engage the at least one guide slot to guide the ink container in a pivot motion so that the ink container engages a compliant seal on the receiving station in the combination as claimed.

#### ***CONCLUSION***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (703) 305-8194. The examiner can normally be reached on Monday to Friday from 8:00 A.M. to 4:00 P.M.

The fax number of this Group 2800 is (703) 305-3431 or 305-3432.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308- 0956.



**AN H.T.N. VO**  
**PRIMARY EXAMINER**

March 25, 2003